

# TRANSMITTAL FORM

Application Serial Number	10/660,444
Filing Date	September 11, 2003
First Named Inventor	Chanduszeko
Group Art Unit	3731
Examiner Name	Not yet assigned
Attorney Docket No.	NMT-015
Confirmation No.	4893

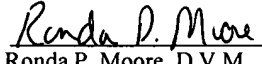
## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form (1 pg.)  <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form  <input type="checkbox"/> Amendment/Response  <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson  including Drawings [Total Sheets ____]  <input type="checkbox"/> Petition for Extension of Time  <input checked="" type="checkbox"/> Fifth Supplemental Information Disclosure Statement (2 pages) <input checked="" type="checkbox"/> Supplemental Form PTO-1449 (4 pages) <input checked="" type="checkbox"/> Copies of Cited IDS References (B12-B14; C14-C18)  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Non-Provisional Application  <input type="checkbox"/> Formal Drawings  <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal  <input type="checkbox"/> Power of Attorney By Assignee of Entire Interest/Revocation of Prior Powers and New Power of Attorney  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application  <input type="checkbox"/> Small Entity Statement  <input type="checkbox"/> CD(s) for large table or computer program  <input type="checkbox"/> Amendment After Allowance  <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences  <input type="checkbox"/> Appeal Brief (in triplicate)  <input type="checkbox"/> Status Inquiry  <input checked="" type="checkbox"/> Return Receipt Postcard  <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 (1 page)  <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8  <input type="checkbox"/> Additional Enclosure(s) (please identify below)
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## CORRESPONDENCE ADDRESS

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## SIGNATURE BLOCK

Respectfully submitted,  
  
  
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Date: September 20, 2005  
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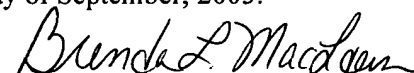
PATENT  
Attorney Docket No. NMT-015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Chanduszko et al. CONFIRMATION NO.: 4893  
SERIAL NO.: 10/660,444 GROUP NO.: 3731  
FILING DATE: September 11, 2003 EXAMINER: Not yet assigned  
TITLE: SEPTAL PUNCTURE DEVICE

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any documents referred to as enclosed herein, are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 20<sup>th</sup> day of September, 2005.

  
Brenda L. MacLean

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith are:

1. Transmittal Form (1 page);
2. Fifth Supplemental Information Disclosure Statement (2 pages);
3. Fifth Supplemental Form PTO-1449 (4 pages);
4. Copies of Cited IDS References (B12-B14 and C14-C18); and
5. a Return Receipt Postcard.



PATENT  
Attorney Docket No. NMT-015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Chanduszko *et al.* CONFIRMATION NO.: 4893  
SERIAL NO.: 10/660,444 GROUP NO.: 3731  
FILING DATE: September 11, 2003 EXAMINER: Not yet assigned  
TITLE: Septal Puncture Device

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the non-U.S. patents and publications are included.

**REMARKS**

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) above but before the mailing date of any of a **final action** under 37 C.F.R. 1.113, a **notice of allowance** under 37 C.F.R. 1.311, or an action that otherwise closes prosecution in the application, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein; or
- ☐ (3) after the period defined in (2) above but before the payment of the **issue fee**, **AND**

- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

Respectfully submitted,

Date: September 20, 2005  
Reg. No. 44,244

Tel. No.: (617) 261-3167  
Fax No.: (617) 261-3175

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<b>FORM PTO - 1449</b> <b>FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b>				<b>ATTORNEY DOCKET NO.:</b> NMT-015 <b>APPLICANT(S):</b> Chanduszko et al. <b>SERIAL NO.:</b> 10/660,444 <b>FILING DATE:</b> September 11, 2003 <b>GROUP NO.:</b> 3731 <b>CONFIRMATION NO.:</b> 4893			
<b>U.S. PATENT DOCUMENTS</b>							
EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A157	3,875,648	04/08/75	Bone			
	A158	4,006,747	02/08/77	Kronenthal et al.			
	A159	4,425,908	01/17/84	Simon			
	A160	4,696,300	09/29/87	Anderson			
	A161	4,915,107	04/10/90	Rebuffat et al.			
	A162	5,021,059	06/04/91	Kensey, et al.			
	A163	5,037,433	08/06/91	Wilk et al.			
	A164	5,222,974	06/29/93	Kensey et al.			
	A165	5,236,440	08/17/93	Hlavacek			
	A166	5,257,637	11/02/93	El Gazayerli			
	A167	5,282,827	02/01/94	Kensey et al.			
	A168	5,304,184	04/19/94	Hathaway et al.			
	A169	5,312,435	05/17/94	Nash et al.			
	A170	5,354,308	10/11/94	Simon et al.			
	A171	5,411,481	05/02/95	Allen et al.			
	A172	5,413,584	05/09/95	Schulze			
	A173	5,417,699	05/23/95	Klein et al.			
	A174	5,478,353	12/26/95	Yoon			
	A175	5,507,811	04/16/96	Koike et al.			
	A176	5,601,571	02/11/97	Moss			
	A177	5,618,311	04/08/97	Gryskiewicz			
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			

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	A178	5,797,960	08/25/98	Stevens et al.			
	A179	5,823,956	10/20/98	Roth et al.			
	A180	5,829,447	11/03/98	Stevens et al.			
	A181	5,855,614	01/05/99	Stevens et al.			
	A182	5,861,003	01/19/99	Latson et al.			
	A183	5,893,856	04/13/99	Jacob et al.			
	A184	5,902,319	05/11/99	Daley			
	A185	5,924,424	07/20/99	Stevens et al.			
	A186	5,989,268	11/23/99	Pugsley, Jr. et al.			
	A187	5,993,475	11/30/99	Lin et al.			
	A188	6,010,517	01/04/00	Baccaro			
	A189	6,077,291	06/20/00	Das			
	A190	6,079,414	06/27/00	Roth			
	A191	6,113,609	09/05/00	Adams			
	A192	6,132,438	10/17/00	Fleischman et al.			
	A193	6,165,183	12/26/00	Kuehn et al.			
	A194	6,165,204	12/26/00	Levinson et al.			
	A195	6,206,895	03/27/01	Levinson			
	A196	6,217,590	04/17/01	Levinson			
	A197	6,228,097	05/08/01	Levinson et al.			
	A198	6,245,080	06/12/01	Levinson			
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			

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	A199	6,277,138	08/21/01	Levinson et al.			
	A200	6,277,139	08/21/01	Levinson et al.			
	A201	6,287,317	09/11/01	Makower et al.			
	A202	6,306,150	10/23/01	Levinson			
	A203	6,319,263	11/20/01	Levinson			
	A204	6,344,049	02/05/02	Levinson et al.			
	A205	6,348,041	02/19/02	Klint			
	A206	6,352,552	03/05/02	Levinson et al.			
	A207	6,364,853	04/02/02	French et al.			
	A208	6,375,625	04/23/02	French et al.			
	A209	6,379,342	04/30/02	Levinson			
	A210	6,387,104	05/14/02	Pugsley, Jr., et al.			
	A211	6,398,796	06/04/02	Levinson			
	A212	6,460,749	10/08/02	Levinson et al.			
	A213	6,488,706	12/03/02	Solymar			
	A214	2001/0034537	10/25/01	Shaw et al.			
	A215	2001/0044639	11/22/01	Levinson			
	A216	2001/0049492	12/06/01	Frazier et al.			
	A217	2002/0010481	01/24/02	Jayaraman			
	A218	2002/0129819	09/19/02	Feldman et al.			
	A219	2002/0029048	03/07/02	Miller			
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			

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	A220	2002/0032462	03/14/02	Houser et al.					
	A221	2002/0043307	04/18/02	Ishida et al.					
	A222	2002/0183786	12/05/02	Girton					
	A223	2003/0144694 A1	07/31/03	Chanduszko et al.					
<b>FOREIGN PATENT DOCUMENTS</b>									
<b>EXAM. INIT.</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>COUNTRY CODE</b>	<b>CLASS</b>	<b>SUB CLASS</b>	<b>FILING DATE</b>	<b>ABSTRACT ONLY</b>	<b>ENGLISH LANG (Y/N)</b>
	B12	WO 00/27292	05/18/00	PCT					Y
	B13	WO 01/49185	07/12/01	PCT					Y
	B14	EP 1 013 227	06/28/00	EP					Y
<b>OTHER ART, JOURNAL ARTICLES, ETC.</b>									
<b>EXAM. INIT.</b>	<b>OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)</b>								
	C14	Nat'l Aeronautics and Space Administration, "55-Nitinol – The Alloy with a Memory: Its Physical Metallurgy, Properties, and Applications," A Report, pgs. 24-25.							
	C15	Kimura, A., et al., "Effects of Neutron Irradiation on the Transformation Behavior in Ti-Ni Alloys," Abstract, Proceedings of the Int'l Conf. On Martensitic Transformations (1992) pgs. 935-940.							
	C16	Ramanathan, G., et al., "Experimental and Computational Methods for Shape Memory Alloys," 15 <sup>th</sup> ASCE Engineering Mechanics Conf., June 2-5, 2003.							
	C17	Shabalovskaya, S., "Surface, corrosion and biocompatibility aspects of Nitinol as an implant material, "Bio-Medical materials and Engineering, (2002) Vol. 12, pgs. 69-109.							
	C18	Uchil, J. "Shape Memory Alloys – Characterization Techniques, "Pramana – Journal of Physics, (2002) Vol. 58, Nos. 5 & 6, pgs. 1131-1139.							
<b>EXAMINER</b>					<b>DATE CONSIDERED</b>				